

Department Of Economic and Community Development 59 Statehouse Station Augusta, Maine 04333

POLICY STATEMENT #12

Subject: Lead Based Paint Related Regulations for CDBG Programs

Revised: 04/03 Effective Date: 08/10/01

The U.S. Department of Housing and Urban Development (HUD) promulgated a new regulation on September 15, 1999 (64 FR 50140) establishing requirements for notification, evaluation and reduction of lead-based paint hazards in federally owned residential property and housing receiving Federal assistance (Lead Safe Housing Regulation). The Lead Safe Housing Regulation, which is at 24 CFR Part 35, took effect on September 15, 2000 at which time all affected parties were to be in compliance. It implements sections 1012 and 1013 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 and Title X of the Housing and Community Development Act of 1992. Sections 1012 and 1013 amend the Lead Paint Poisoning Prevention Act of 1971. The State of Maine received two waivers that delayed implementation of these regulations in order to build capacity by training sufficient numbers of Lead Smart Renovators and Sampling Technicians. Beginning on August 10, 2001 housing units receiving rehabilitation services through Maine Community Development Block Grant Program funding must be completed according to the new regulations. This will apply to all units where actual construction work is started on or after August 10, 2001, regardless of which CDBG grant year is funding the rehabilitation.

The chart on page 2 provides a summary of required measures based on the amount of CDBG rehab assistance to pre-1978 properties. All contractors performing interim controls must be certified as LEAD SMART RENOVATORS by the Maine Department of Environmental Protection (DEP). In addition, a DEP Licensed Sampling Technician must perform a clearance test on all units receiving interim controls.

Amount of Assistance	Year Constructed	Required Measures
Property Receiving less than or equal to \$5,000 per unit	Pre-1978	- Provision of pamphlet
		- Paint testing of surfaces to be disturbed, or presume LBP
		- Safe work practices in rehabilitation
		- Repair disturbed paint
		- Notice to occupants
2. Property receiving more than \$5,000 and up to \$25,000 per unit	Pre-1978	- Provision of pamphlet
		- Paint testing of surfaces to be disturbed, or presume LBP
		- Risk assessment
		- Interim controls (lead smart renovator, clearance test)
		- Notice to occupants
3.Property receiving more than \$25,000 per unit	Pre-1978	- Provision of pamphlet
		- Paint testing of surfaces to be disturbed, or presume LBP
		- Risk Assessment
		- Abatement of LBP hazards
		- Notice to occupants
		- Ongoing LBP maintenance

Printed Resource Materials

<u>Lead Paint Safety A Field Guide for Painting, Home Maintenance, and Renovation Work</u> – U.S. Department of Housing and Urban Development – Office of Lead Hazard Control

WEB Sites

www.hud.gov/lea - HUD Office of Lead Hazard Control

www.state.me.us/dep/rwm/lead.htm - Maine Department of Environmental Protection - Lead Hazard Prevention Program - 1-800-452-1942

www.mainehousing.org - Maine State Housing Authority – Lead Paint Removal Program – 1 – 800-452-4668

www.janus.state.me.us/dhs/bohdcfh/led/index2.htm - Department of Human Services – Maine Childhood Lead Poisoning Prevention Program – (207) 287-4311